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January 15, 2009

## VIA ELECTRONIC FILING AND HAND DELIVERY

The Honorable Vincent J. Poppiti Blank Rome LLP Chase Manhattan Centre 1201 Market Street, Suite 800 Wilmington, DE 19801

## Re: Advanced Micro Devices, Inc., et al. v. Intel Corporation, et al., C.A. 05-441-JJF; C.A. 05-485-JJF; MDL No. 05-1717-JJF

Dear Special Master Poppiti:

The parties provide this joint report pursuant to Amended Case Management Order No. 6, dated June 20, 2008, which requires within fifteen days of the end of every second month that the parties "jointly report on the number of hours of depositions each has expended during the preceding two months and any issues relating to the progress of the depositions, or any other issues, that have arisen in connection with the depositions."

## Number of Hours of Depositions Expended by Each Side

During the preceding two months, November and December, the parties expended the following numbers of hours:

For depositions taken in November, Intel 23.5 hours, AMD and Class 43.75 hours; For depositions taken in December, Intel 28.0 hours, AMD and Class 51.25 hours.

Thus, the totals for the two months are, Intel 51.5 hours, AMD and Class 95.0 hours. The cumulative total numbers of hours the parties have used since the Court adopted Amended Case Management Order No. 6 through the end of December are: Intel -157.5 hours, AMD and Class -258.75 hours.

## Other Issues in Connection with Depositions

The parties wish to bring to Your Honor's attention the parties' disagreement over AMD's proposal that only 40% of the time spent in interpreted depositions should be counted

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against the parties' deposition hours limits. AMD raised this issue before Your Honor in a letter brief filed on January 6, 2009. Intel responded with a letter brief filed January 7, 2009. No hearing on this issue has been scheduled. The parties have agreed that to the extent either side wishes to make any further arguments on this issue they can do so in connection with the hearing before Your Honor, either in writing in advance of the hearing or at the hearing, as Your Honor allows.

In addition, AMD wishes to bring to Your Honor's attention that all of the Japanese OEMs have refused to produce witnesses for deposition voluntarily. AMD is evaluating its options to compel testimony from these witnesses.

Respectfully,

/s/ Frederick L. Cottrell, III

Frederick L. Cottrell, III (#2555)

FLC,III/afg

cc: Clerk of the Court Richard L. Horwitz, Esquire (w/e) (By Hand and Electronic Mail) James L. Holzman, Esquire (w/e) (By Hand and Electronic Mail)